

**FARMINGTON CITY  
PLANNING COMMISSION MINUTES  
APRIL 18, 2019**

***PRESENT: Planning Commissioners Connie Deianni (Chair), Greg Wall, Amy Shumway, Roger Child, Russ Workman, Shawn Beus, Rulon Homer, Mike Plaizier (alternate Planning Commissioner); Community Development Director David Petersen, Associate Planner Meagan Booth, Recording Secretary Brittney Whitecar***

**STUDY SESSION**

- 3. Pete Smith\Advanced Solutions Group – Applicant is requesting final plat approval for the Meadows at City Park Phase II PUD consisting of 14 lots on 2.37 acres located at Approximately 50 South 200 West in an R-4 zone. (S-12-15)**

This item was previously approved but expired because the plat was never recorded and an extension was not requested by the applicant. Staff recommends that the planning commission approve.

**Amy Shumway** asked if the retention pond in the common area will be landscaped. **Dave Petersen** said that it will.

- 4. Phil Holland\Wright Development Group – Applicant is requesting preliminary plat approval for the East Park Lane Phase 2 Subdivision consisting of 2 commercial lots on approximately 4.25 acres of property located north of the north end of Lagoon Drive at approximately 850 North in the CMU (Commercial Mixed Use) zone. (S-26-18)**

The Planning Commission received an email that the developer wants to extend Lagoon Drive to develop 2 commercial lots. **Dave Petersen** said that due to code, dead-end streets can't be extended more than 1,000 feet, which would only reach through the first lot. The applicant must obtain a second point of independent access to enable him to extend the street further to the north. As an example, the Mercedes dealership next door would have to agree to a cross-access easement until future connector roads are built in the development.

**Howard Hess** wrote an email to the Planning Commission regarding a natural spring and the detention basin, which was read for consideration.

- 5. Jerry Preston\Elite Craft Homes – Applicant is requesting preliminary plat approval for The Creekside Manor Subdivision consisting of 8 lots on approximately 5.78 acres of property located at about 950 West 500 South in the AE (Agriculture Estates) zone. (S-23-18)**

No Comments were made

- 6. Taylor Spendlove\Brookside Hollow PUD – Applicant is requesting final plat approval of the Brookside Hollow PUD Subdivision consisting of 13 lots on 5.3 acres of property located at 411 South 200 West in the BP (Business Park) and AE (Agriculture Estates) zone (S-11-18)**

No Comments were made

7. **Sam Webster/Hokulia Shaved Ice (Public Hearing) - Applicant is requesting temporary use permit approval for a shaved ice business in the Shepard Crossing parking lot which consists of 2.5 acres of property located at 986 Shepard Lane in the C (General Commercial) zone. (TU-1-19)**

No Comments were made

8. **Miscellaneous, correspondence, etc.**

a. **Good Spray Car Wash**

Changed the road layout to their site-plan. City staff did not find this change to be significant enough to require further staff or Planning Commission approval. The Planning Commission agreed with staff.

b. **Challenger School**

Intends to add on to the rear of their building and in turn remove their portable building that currently sits in the rear yard. Staff did not find this project large enough to need Staff approval other than that of the building official. The Commission concurred with this conclusion.

c. **Other**

**REGULAR SESSION**

Connie Deianni opened the public meeting at 7:02 p.m.

**Minutes:**

Rulon Homer motioned to approve the minutes from the March 21<sup>st</sup>, 2019 Planning Commission meeting. Shawn Beus seconded the motion, which was unanimously approved.

**City Council Report:**

Meagan Booth reported that the Davis County Jail has proposed an expansion to its medical wing. Their current facility only has six medical cells which does not suffice anymore due to increased drug and alcohol dependencies and communicable diseases being treated at the jail. They intend to expand on the East side of the existing building at a location that is not visible from the road. The medical expansion will accommodate over double the current patient capacity. City approval is necessary for the expansion.

3. **Pete Smith\Advanced Solutions Group – Applicant is requesting final plat approval for the Meadows at City Park Phase II PUD consisting of 14 lots on 2.37 acres located at Approximately 50 South 200 West in an R-4 zone. (S-12-15)**

Meagan Booth reviewed the application. This item was already approved in May of 2016 but the plat was never recorded, so the approval has since expired. The developer did not ask for an extension and has already completed all improvements for phase 2.

Cam Preston with Ensign Engineering, 14 E. Camden Way, Farmington UT came to the stand and said they designed the two phases of the plat at the same time in order to get UDOT approval for a through-street and the developer waited to record the second phase because the first phase construction took

longer than anticipated. Nothing significant is changed but they had to demolish an old home before beginning phase 2 which took some time.

***Motion:***

**Amy Shumway** made motion to approve final plat for the Meadows at City Park Ph. 2 PUD Subdivision, subject to all applicable Farmington City ordinances and development standards and the following conditions, excluding number three which has already been completed, as well as the findings. **Rulon Homer** seconded the motion, which was unanimously approved.

**Conditions:**

1. The Nicholls Nook development agreement shall be amended prior to plat recordation, including but not limited to enlarging the scope of the project to include Phase II;
2. The applicant shall provide a 10' easement in favor of Farmington City for snow storage and removal or make 50 South a private road;
3. ~~The applicant shall provide a letter from UDOT approving the improvements on 200 West, prior to the commencement of any construction;~~
4. Any outstanding comments from the DRC shall be addressed and resolved prior to recordation.

**Findings:**

1. The bond estimate was recalculated by the City Engineer and have been updated and paid by the applicant.
  2. A soils report has been provided to the city on May 27, 2014 from GeoStrata.
  3. The proposed development is a continuation of the approved Meadows at City Park Phase I and the Nichol's Nook development which is memorialized in a development agreement recorded against the property.
  4. The proposed development is at a density of 5.9 units per acre, which is a significantly lower density than what is possible with a conventional subdivision in an R-4 zone.
  5. The development is not seeking a waiver of the PUD open space provision and is providing the open space in the development as common area.
  6. The overall layout follows the medium density residential objectives of the General Plan.
  7. By providing an easement abutting the road for snow removal, the roads can remain public. Additionally, by connecting 100 West and 200 West, 50 South will provide a better layout for infrastructure and improvements.
4. **Phil Holland\Wright Development Group – Applicant is requesting preliminary plat approval for the East Park Lane Phase 2 Subdivision consisting of 2 commercial lots on approximately 4.25 acres of property located north of the north end of Lagoon Drive at approximately 850 North in the CMU (Commercial Mixed Use) zone. (S-26-18)**

**Dave Petersen** reviewed the staff report. The first condition states that the Lagoon Drive access must comply with the City's dead-end and street standards. The maximum length allowed for a dead-end street is 1,000 feet. The applicant must provide temporary access to Main Street somehow, or gain access through the Mercedes dealership with their permission until other streets are constructed, creating a through-street in the proposed development (or extend the collector road further to the west to another street). The second condition states that the applicant must provide wetland delineation and soils report, which are expected before final plat.

**Phil Holland** 2278 Legacy Crossing Blvd, Centerville UT said he has no confirmed uses for the commercial lots, but there are some interested parties. An extensive soils report has been done and they are in the preliminary phase of the wetland delineation. Mercedes has granted them temporary access to solve the dead-end street length issue which can be used until a street connecting Lagoon Drive to Main Street is developed during future phases of the subdivision.

**Connie Delanni** asked if there is anything unique in the soils report that the Planning Commission should be made aware of. **Phil Holland** said no, not that he has seen.

**Greg Wall** asked if the future connection between Lagoon Drive and Main Street has been designed. **Phil Holland** said nothing is set in stone but they have an idea of the design and connection to the frontage road.

**Roger Child** asked, regarding the delineation, if the wetlands are being effected and mitigated. Is the detention basin permanent, or a temporary solution? **Phil Holland** said there is no mitigation and that the detention basin is permanent open space.

**Russ Workman** asked if the water will be piped through the development into the detention basin, or if there was another way to route the water in the proper direction. **Phil Holland** said that is very technical and he cannot answer completely as he isn't an engineer but that it will be considered thoroughly.

**Russ Workman** said he would like to push for a condition accounting for the spring and water flow. **Connie Deianni** agreed and said she sees the need for 3 additional conditions, to be listed in the motion.

**Dave Petersen** referred to the last sentence of the first paragraph of the letter from the Mercedes dealership regarding temporary street access and proposed that the developer obtain another letter whereby this sentence is modified to also include "emergency trucks, maintenance vehicles, and others, under extenuating circumstances" and that it be added to condition number 1 as written.

**Gary Wright** 484 Hampton Ct. Fruit Heights, UT said there is a natural runoff and a natural outlet on the proposed detention parcel. He said the drainage is not an issue. They are not increasing the flow with this development— it only accepts the existing water. **Russ Workman** said that Gary's statement isn't necessarily true because developing acreage changes the flow of natural water by adding paving, piping and curb/gutters. **Gary Wright** said that the preliminary plat shows topography of the natural drainage pattern and they are doing a wetland delineation but their intention is not to disrupt the wetlands.

**Amy Shumway** asked how deep the detention basin will be and if it will be fenced. Do they foresee that it will be full of water most of the time, or will it be landscaped? **Gary Wright** said if the City requires fencing or landscaping they can do that but it wasn't necessarily anticipated. **Dave Petersen** said the City probably would not require fencing the detention as the spring historically has a steady but moderate/low flow.

**Motion:**

**Greg Wall** made a motion to approve the preliminary plat for the East Park Lane Ph. 2 Subdivision subject to all applicable Farmington City ordinances and development standards and the following conditions; #1 being modified to include the letter from the Mercedes Dealership granting second point of access to the development in the case of an emergency, adding a condition #7 to have an engineer

quantify water flows from both the spring and the anticipated storm water and size the basin and orphus plate properly. Adding a condition #8 that all of the water from the development shall be sub-managed by this system without increases to down-stream flows. Also subject to findings 1-4. Russ Workman seconded the motion, which as approved.

Conditions:

1. The proposed Lagoon Drive extension must comply with the City's dead end street standards—the developer shall establish a second point of independent access acceptable to the City. ~~in so doing he may obtain another letter amending the last sentence of the first paragraph of the letter already received whereby this sentence is modified to also include "emergency trucks, maintenance vehicles, and others, under extenuating circumstances"~~
2. The applicant shall provide a wetland delineation, and meet any related US Army Corp of Engineer requirement prior to submission of a final plat and improvement drawings.
3. A soil report shall be prepared and delivered before a final plat is accepted for review by the City.
4. The developer shall create a mechanism to ensure the long-term maintenance of the open space parcel.
5. The Preliminary Plat shall meet all conditions of the approved schematic plan.
6. The applicant shall address all other outstanding DRC comments prior to submitting plans for final plat approval;
7. ~~An engineer must quantify water flows from both the spring and the storm water, and must size the basin and orphus plate accordingly.~~
8. ~~All storm water from the development shall be managed in such a way that no increase will occur in off-site run-off beyond the historical flow for the property.~~

Findings for Approval:

1. The proposed subdivision, along with the conditions set forth in the motion, conforms to all of the development standards as set forth in the Farmington City Subdivision and Zoning Ordinances.
2. The proposed plat continues a planned connection from Park Lane to points north, and conforms to the Master Transportation Plan and that plan's stated purpose of creating connectivity throughout the City.
3. The subdivision of this property will allow for future development, which fits the CMU zone and is consistent with the master plan for this area.
4. The application for preliminary plat is consistent with the zone change and schematic plan recently recommended and approved by the Planning Commission and City Council.
5. Jerry Preston\Elite Craft Homes – Applicant is requesting preliminary plat approval for The Creekside Manor Subdivision consisting of 8 lots on approximately 5.78 acres of property located at about 950 West 500 South in the AE (Agriculture Estates) zone. (S-23-18)

Dave Petersen reviewed the preliminary plat. The City is working with adjacent property owners to add easements onto their parcels, thus connecting the trail from one end of the subdivision to the other. This is a conservation subdivision, so the applicant must provide open space or pay a fee-in-lieu. The applicant selected to pay a fee-in-lieu in combination with providing a trail easement.

The applicant must also obtain a CLOMR (Conditional Letter of Map Revision) before the FEMA

floodplain can be removed from the building areas of the lots. The final plat will not be approved without the CLOMR. The public works department has requested to be granted access via an easement to the detention basin until such time as the Farmington Creek trail is extended to 500 South and/or the UTA trail.

**Roger Child** asked why not have the trail property deeded to the City instead of placing easements on private property, thus freeing the landowners of liability? **Dave Petersen** said that is an option and the developer can decide how to proceed.

**Greg Wall** asked what the fee-in-lieu will pay for. **Dave Petersen** said it will go toward acquiring the additional right-of-way needed to complete the trail along this subdivision.

**Cam Preston** 14 E. Camden Way is the engineer on the project. The shaded area shown on the plat is the floodplain area. He said that fill will be brought in to raise the homes within the floodplain 5-6 feet. The homes will be raised enough to have walk-out basements which will remove them from the depth of the floodplain. The CLOMR application has been prepared and has been turned in to Ken Klinker. They will submit to FEMA upon approval from Ken.

**Shawn Beus** said this is an improved plan from the first one that excluded the trail system. He asked if a back-up plan was in place if a bridge can't be built on the West side. **Dave Petersen** said there is a backup plan which would be a full widening of 5<sup>th</sup> South and an 8 ft. sidewalk.

**Amy Shumway** said that this trail connection is very important and asked if the City was close to solidifying this deal. She asked if tabling the item until the trail connection is certain would be a good option. **Dave Petersen** cautioned against tabling because the deal is close to being solidified and the City Council has pushed against it.

***Motion:***

**Shawn Beus** motioned that the Planning Commission approve the preliminary plat for the Creekside Manor Subdivision subject to all applicable Farmington City ordinances and development standards as written; amending #6 to include the following clause that if the trail does not run the full length of Farmington Creek, that a full 8 ft. wide right-of-way be dedicated on lot #101 on 500 South. **Russ Workman** seconded the motion, which was approved.

**Conditions:**

1. The preliminary plat shall comply with all the conditions and requirements of schematic plan approval.
2. The applicant must obtain a CLOMR (Conditional Letter of Map Revision) as a prelude to removing the FEMA flood plan from the building areas of the lots before a final plat (and improvement drawings) are accepted for review by the City.
3. A storm water detention basin is contemplated for the southwest area of Lot 107. The developer shall construct and provide access to the basin in a manner, form, and dimensions, acceptable to the City. The City may consider extinguishing such access in the event it obtains a trail (and easement) connecting to 500 South and/or the UTA trail.
4. The developer shall meet and satisfy the requirements of the City's DRC (Development Review Committee).
5. The developer shall obtain a Flood Control Permit from the Davis County Public Works department.

6. Additional dedication of street right-of-way is required pursuant to the City Master Transportation Plan. A full 8 ft. wide right-of-way shall be dedicated on lot #101 at 500 South if the trail (or trail easement) does not run the full length of Farmington Creek from the UTA r.o.w. to 500 South Street.

#### Findings

1. The proposed portion of the Farmington Creek Trail is consistent with the City's Trails Master Plan.
  2. The preliminary plat is consistent with the approved schematic plan, the purposes of the AE zone, the City's General Plan, and the Master Transportation Plan (an element of the General Plan).
  3. A portion of the subdivision is located within the FEMA floodplain, and by law, the City must follow FEMA standards.
  4. The development abuts Farmington Creek and as required by inter-local agreement, the City must require that the developer obtain a flood control permit. Furthermore, such permits increase safety and mitigate loss of property, especially during times of flooding, for owners and residents.
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6. **Taylor Spendlove\Brookside Hollow PUD – Applicant is requesting final plat approval, and a recommendation for Final (PUD) Master Plan approval of the Brookside Hollow PUD Subdivision consisting of 13 lots on 5.3 acres of property located at 411 South 200 West in the BP (Business Park) and AE (Agriculture Estates) zone (S-11-18)**

Meagan Booth reviewed the staff report. The schematic plan and preliminary plat have been approved. The senior living center on lot #113 was approved on March 21<sup>st</sup>. The outstanding conditions state that the applicant must obtain a Davis County Flood Control Permit and a UDOT encroachment permit, develop a long-term storm water maintenance agreement, and follow all recommendations set forth by Tim Taylor, the City's traffic engineer.

Taylor Spendlove 152 N. Havenwood Dr. Kaysville, UT said that they have been adjusting redlines as necessary. They obtained a maintenance agreement from Ken Klinker regarding underground detention and will be submitting updated plans to the development review committee next week.

Greg Wall asked what about the limited common area shown on the plat in grey. Taylor Spendlove said it is for landscaping purposes. This is a 55+ community that will be landscaped with grass, shrubs and trees. There may be a small playground near the senior living facility to be utilized by visitors; most likely grandchildren of the residents. The common areas will be maintained by the HOA.

#### ***Motion:***

Roger Child motioned that the Planning Commission approve the Final plat, and a recommendation for Final (PUD) Master Plan approval, for the Brookside Hollow PUD subject to all applicable Farmington City ordinances and development standards, conditions 1-2 and findings 1-2. Rulon Homer seconded the motion, which was approved unanimously.

#### Conditions:

1. The applicant must:

- a. obtain a Davis County Flood Control permit with a Stream Alteration Permit to build near Steed Creek;
  - b. obtain a UDOT encroachment permit.
  - c. develop a long term storm water maintenance agreement.
  - d. follow the recommendation of Tim Taylor, the City's Traffic Engineer.
2. All outstanding DRC Comments will be addressed prior to recording among other things;

**Findings:**

1. The proposed plans meet the requirements of the subdivision and zoning ordinance for the BP Zone and is consistent with the general plan.
  2. The Final Plat is consistent with the Preliminary Plat and Preliminary PUD Master Plan.
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7. **Sam Webster/Hokulia Shaved Ice (Public Hearing) - Applicant is requesting temporary use permit approval for a shaved ice business in the Shepard Crossing parking lot which consists of 2.5 acres of property located at 986 Shepard Lane in the C (General Commercial) zone. (TU-1-19)**

Sam Webster 3435 S. 200 W. Bountiful, UT says this will be the second year his shaved ice stand operates at the location. This application is a 5-year contract as opposed to the 1-year approval they got last year, as they proved successful during the 2018 year.

Meagan Booth said one phone call was received from Bart Cook who owns the property, and he is in favor of the application.

Connie Deianni opened and closed the public hearing at 8:45 p.m. with no comments.

**Motion:**

Rulon Homer moved that the Planning Commission approve the temporary use permit for Hokulia Ice subject to all applicable Farmington City ordinances and development standards as well as the written conditions and findings. Russ Workman seconded the motion, which was unanimously approved.

8. **Miscellaneous, correspondence, etc. [Note: the Planning Commission addressed items a. and b. in the study session.**
  - a. Good Spray Car Wash
  - b. Challenger School
  - c. Other
9. **Motion to Adjourn**  
At 8:50 p.m., Amy Shumway motioned to adjourn. Greg Wall seconded, and the meeting was adjourned.



Connie Deianni  
Planning Commission Chair